

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

2007 JUL -9 P 12: 20

THEODUS JORDAN /PLAINTIFF

U.S. DISTRICT COURT
DISTRICT OF MASS.
CIVIL ACTION NO. 04-10688-
NMG

VS.

BOSTON PUBLIC SCHOOLS/DEFENDANTS/ET.AL

**SECOND MOTION IN OPPOSITION TO SUMMARY JUDGMENT MOTION
BY DEFENDANTS IN THE MATTER ABOVE, NOW BEFORE THIS MOST
HIGH COURT**

NOW, comes this plaintiff in the matter above, now before this Most High Court, to oppose this defendants Motion for Summary Judgment in the above case. This opposition comes as a result and extension or expansion of this plaintiff's previous and unanswered **first** motion of opposition dated April 30, 2007 and submitted by this plaintiff to this Court. A copy was also, eventually forwarded (by pre-paid mail and postage) to this defendants and their attorney of record. This opposition is based on the following factual statements and documents of records:

1. No cause(s) were ever established for my termination by Boston Public Schools (BPS) ever, before this day. The first statement why BPS terminated this plaintiff was given first at the Only preliminary hearing heard for the first time, was in this Court preconference held on February 23, 2006, respectively—see Docket report. The defendant(s) stated to the Court for the first time that the BPS had terminated this plaintiff because "he is (was) incompetent". No other facts, evidences or proofs were given on that day; only a tentative schedule was worked out. This is their sole reason, finally, why this plaintiff, out of all the job application submitted by this plaintiff down through the years, why this plaintiff was not ever hired out right for a job with the Boston Public School system; viz., according to the BPS, "that Theodus Jordan was incompetent". After 25 years of working within the Boston Public Schools in various position as: perdiem substitute; cluster substitute teacher/ long term substitute-teacher/ provisional teacher—7 Contracts / substitute-teacher / cluster leader/principal intern/

supervised in-school suspension programs—two different schools/ supervised breakfast programs/ coordinator/ acting principal, student –teacher / supervisor/ fund-raiser/grant-writer / field coordinator/ parent recruitments for open housing/ instructor/ student counselor/ classroom manager/ union representative/ activity planner/ field-trip organizer/ parent teacher meeting planner; etc. etc. . Now, these defendants (BPS) have the audacity to call me “incompetent”.

2. As I read the defendants Motion for Summary Judgment, There are no facts. Every so called statement and “undisputed facts” are based in lies, hearsay, and repetition of the same documents, paper work, and rehashed from other cases similar but unrelated to this case. All based in lies! They are contrived, fraudulent figments of the defendants’ racist concepts about this black-male plaintiff is viewed by this defendants and now their “white woman” attorney’s and all their views of black males in general, are coming together into this Courtroom. Not one statement, in content or context can be substantiated, or proven by these defendants. They have simply relied upon their stereotypes about black males to get this case through the Courts. They are hoping against hope that this plaintiff will: A) be unable to obtain counsel because I am poor; B) I will not know the law as well as they do; C) that fear, intimidation; D) my ignorance of legal procedure; E) and their twisted lies , fraudulent affidavits (by Shea, Kelleher, principals, et.al.—some I never met) F) along with their statements of complete fabrications entrenched with racist concepts, stereotypes; G) and their fraudulent contraptions will work throughout this High Court as other have achieved before them;

3. The so-called “undisputed facts” are without foundation, interviews, research, inconsistency with chronological order of events and applications; content is, or so-called facts, are inconsistent with timing of the event as well, and the uncollected data, which is as easily accessible as my records which they have illegally used already without my permission, but at their disposal: This plaintiff met all basic qualification for every job application requirements. This plaintiff credential far exceeds any one of these defendants, except, plaintiff does not have a law degree. But plaintiff has four Masters including a CAGS and is presently enrolled in a Doctorial program at a major institution. This plaintiff also is certified in the following areas: Principal/Assistant Principal/ History/English/Social Studies/Social and Behavioral Sciences. This plaintiff is at present have 3 fields pending for certification—Reading / Math / School Psychologists. This plaintiff came into the system in 1979 with an earned Bachelors and Masters degree from major accredited Universities. This plaintiff began immediately work on certification through the Boston Public schools system Provisional two year process. Here, after 6t provisional contract as a teacher, I was denied my certification until I completed a teacher practicum which I protested because I had been teaching for over 4 years then. The State (DOE- Department of Education/Dennis Dicarlo) reduced my certification requirements

to a ½ practicum. I completed this at Jeremiah Burke HS and took class-coordination from the Eastern Nazarene Teacher Preparation Division Program.

4. Subpoenaed Witnesses, Records, Documents, Files, Official Certifications (with expiration dates) plaintiff's Educational background, work history, job applications and all jobs applied for within Boston Public Schools/Brockton Public Schools/Needham/Newton/Brookline Public Schools Systems. Also, those outside of Massachusetts as well as other positions outside the field of the Public Schools system—including Higher Education positions both Governmental –State and Federal, jobs applied for by this Plaintiff over the years in question until I was wrongfully terminated, blacklisted, and retaliated against by the BPS system. These also include online position through the internet.
5. Plaintiff will show that these defendants and their Attorneys are lying to this Court when it presents unsubstantiated, fraudulent, fabricated and manufactured dates, documents, chronologies of events, false accusations, void, empty content, conversations, invented documents, dates, out of contexts, deliberately to deceive this High Court.
6. Plaintiff can show discrimination based on race, color, age, gender, retaliation, blacklisting, directed at this plaintiff through records, patterns of racial discrimination against blacks, especially black males, based on hiring, demotions, promotions in disproportion to white counter-parts versus original Affirmative –Action goals and parity in diversifying equal access, equality, and equal opportunity, as well as disparity and disproportionate number of teaching, and administrative job compared to that of white hires, promotions, and fires.
7. Plaintiff can show and prove that this defendants deliberately lied, misrepresented, falsified the chronological history, events, content, and context of this case: from letters received, statements of letters sent to him by School Officials, principals, or School administrations. (Sample of Exhibits enclosed)
8. Plaintiff have applied for more than administrative positions in BPS, Brockton Public schools and other systems indicated. Plaintiff has also applied for many other positions both inside the Public Schools and Higher Education Institution Systems and out side the educational, elementary and secondary systems (see partial submission of jobs plaintiff have applied under supporting documents portion of this Motion of Opposition). Plaintiff have applied for more than jobs including the On-line Internet jobs both administrative and instructional as well as lead teachers.
9. Plaintiff has another some 500 hundred (or more) other job submissions which were never responded to because of the flawed process against **Affirmative-Action** and resistances of the BPS hire, to promote black males. Affirmative –

Action has been dismantled completely by the Payzant administration through The negligence of this system toward this plaintiff and men-of -color. This Plaintiff is the victim and casualty of this defendant's willful, neglect, malicious, conspiracies to deny this plaintiff a job, including specific patterns of discrimination, based on my racial status as a black male, one of age, through negligence of equity in process of screening process for hiring; blacklisting by failure to be in compliance with agreed upon grievance Agreements of removing falsified information in plaintiff records or files; invading plaintiff's right to privacy, confidentiality, and then slandering plaintiff name throughout various communities making impossible to get jobs outside the BPS system, deliberately to destroy plaintiff's lively-hood altogether. Ultimately, "retaliating" by conspiring to keep this plaintiff from gaining employment he is more than qualified for based on his credentials, experience, education, background, commitment to learning and childhood development. The biases, stereotypes, prejudices, and bigotries inherent and entrenched in the traditions imbedded within the institutions of American culture—in this plaintiff case, the BPS educational system; as evidenced by its specific efforts in effectively denying this plaintiff promotions, hiring, and then wrongfully and willfully terminating this plaintiff's employment without cause reason or justification. Plaintiff was part of a protective group based on Title VII , to address the need to hire, promote and level the playing field of black-males within the mostly whites dominated Boston Public School system during a certain period of time.

10. The affidavit presented by Alvin Shiggs (black) has no knowledge of my work ethnics. I have never worked with this person before in my entire life. He is lying when he indicates otherwise. **The affidavit by Kelleher is an absolute lie.** I have never heard this before this case. Notice he never said directly anything ("perceived threat"? What's that? Is that like me **perceiving** most whites are racist and therefore most ^{are} a threat to me and my personal freedoms or what?! Thus, his accusations or slanderous hearsay remarks are subject to legal scrutiny and those he conspired with for saying those things to attack my character. But true to form this is how racist white males like him work, they insinuate , falsify documents, make up out of their traditional racist stereotypes given to them in their own childhood by other racist whites around them, having no experience with black people themselves at all. I have never met Mr. Kelleher, ^{he} knows nothing of my character but is willing, based on hearsay, to behind the scenes destroy my character in order to deny me employment that I am qualified for. Which is part of a racist and larger conspiracy of silent "blacklisting" schemes devised to undermine Affirmative – Action goals without leaving his (their—those who are secretly racist like him holding very important powerful , key positions that affect people of color-especially black-males) finger prints. To be sure, I have never threatened anyone at anytime in my life. I will defend myself (verbally) whenever or from whomever calls me a "nigger, nappy headed ho, black monkeys, or any of the derogatory words used by racist white people to describe African –Americans, his friend Boyd, and the DET examiner, were using when I overheard them belittle black folks, like me, who seek unemployment, calling me and other black "lazy niggers", looking for –expletive- handout outs and other "welfare

niggers". They never saw me before I saw and heard them chatting as they were waiting on me to come into the room.

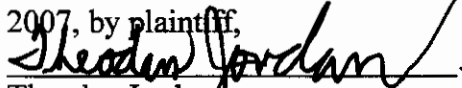
Mr. Shea, I am dumbfounded that he would write such negative things about me. He does know me at all. I know of him. But he does not know me because I have never worked closely with him. I have seen him at a distance. I asked Jenna Fitzgerald (sub-rep) was he the same one who helped her help me with a substitute problem once. She said he was. I told her he had written a negative affidavit to the BPS against me. She too was dumbfounded! But that affidavit helps me prove my point about how "white males", like him, hide their racist concepts about "blacks". Then when you least expect them, unleashed their pent-up racist feeling about you to deny, especially if you are a black male, you any opportunities simply based on the color of your skin...especially if they think they will not be found out. I thought he was a different kind of "white male". I am thoroughly disappointed in him. I can't wait to subpoena he and Kelleher to show the court just how racism works in this society and its role in keeping me out of a job all these years (blacklisting, at work). These two guys make my case for me. Neither, know me or have ever worked with me or have any idea about who I am. But because they are white and I am a person of color, it is so easy to stereotype or typecast black males, especially to other whites who are like minded to them. Whites know this and use it everyday to keep blacks (especially black males) denied, demoted, not hired, or fired. It just so easy for a black person to be denied. Then they holler, "You have Affirmative Action", when they have been fighting it all the time and having white affirmative Action all their born natural lives!

11. Plaintiff **reserve** his right to present other offenses and present other files, evidences and proof of discrimination in open Court as he is given his-day-in-Court and his "due process". Plaintiff believes he did ask for a jury trial here. Plaintiff thinks he is also close to securing an Attorney for this case.

Wherefore, plaintiff plead with this High Court for relief, justice and equal treatment as well as fairness from the grievous, sinister, egregious, painful and suffering injuries left by their racial discriminatory, and heartless action of racism done to this plaintiff and his own family, leaving him penniless, destitute, indigent, sometime homeless, without employment or the ability to gain qualified employment. Plaintiff preys that all losses, including, shelter, employment, tenure, promotions, means of support, automobiles, moneys: \$11,000 CD restored; reinstatement, raises, all legal fees including attorney and all Court cost, witnesses fees, , duplication, copies, transcripts, electronic, sheriff fees, transportation fees, summons fees, entry fees(if any) time loss in wages; and full violation fees of all my rights, and all **punitive** damages, and all other fees for violation deemed proper and curing by this most High Court for plaintiff's great injuries suffered by his entire family for pains, mental anguish, stress, and compensation for all.

*\$2,000,000.00 / Losses
+ Punitive Damages
+ All Legal fees.*

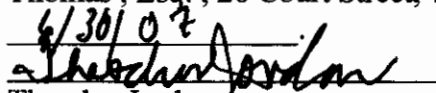
SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS DAY June 17, 2007, by plaintiff,


Theodius Jordan

P.O. Box 840,
Jamaica Plain, MA 02130
508-588-6443

CERTIFICATE OF SERVICE

A TRUE COPY OF THIS DOCUMENT WAS MAILED BY PRE-PAID POSTAGE TO THE DEFENDANTS AND THEIR Attorneys at last known address, Ms. Andrea A. Thomas, Esq., 26 Court Street, 7th. Floor, Boston, MA 02108 by this plaintiff on

6/30/07

Theodius Jordan

1. UNITED STATES DISTRICT COURT
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